

AMENDED IN ASSEMBLY MARCH 29, 2006

AMENDED IN ASSEMBLY MARCH 20, 2006

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

ASSEMBLY BILL

No. 2031

Introduced by Assembly Member ~~Cohn~~ Members Cohn and Bass
(Principal coauthor: Assembly Member Spitzer)
(Coauthor: Assembly Member Evans)

February 14, 2006

An act to amend Section 16500.1 of the Welfare and Institutions Code, relating to dependent children.

LEGISLATIVE COUNSEL'S DIGEST

AB 2031, as amended, Cohn. Dependent children.

Existing law provides for the placement of dependent children by the juvenile court according to specified procedures. Existing law requires the state to encourage the development of approaches to child protection that employ specified methods.

This bill would expand the latter provision by requiring the state to encourage the development of approaches that include ensuring that a search for relatives available for placement is initiated before permanent placement decisions are made for children who cannot be reunited with their families. The bill would also set forth various requirements for the State Department of Social Services to ensure that as many family members as possible of dependent children are identified, including drafting guidelines outlining best practices in the use of advanced technology to assist counties in identifying all relatives and nonrelative extended family members at the earliest possible time for a foster child. The bill would authorize the

department to identify best practices for implementing optimal foster child placement opportunities, as reported by designated counties that have developed kinship care programs for that purpose.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. The Legislature finds and declares as follows:

2 (a) Currently, social workers make the effort to maintain
3 relationships between the child in foster care and certain
4 individuals who are important to the child.

5 (b) The Legislature recognizes the right of a child in foster
6 care to be involved in the development of his or her own case
7 plan to identify all relatives, extended family members, and
8 nonrelative extended family members, and the need to place the
9 child in a safe home and to complete any steps necessary to
10 finalize the permanent placement of the child and his or her
11 siblings, if any.

12 (c) In California, at least eight counties have voluntarily
13 initiated programs to provide the vital function of seeking to find
14 a foster child's relatives and nonrelative extended family
15 members using new advances in technology. These proven
16 search methods can serve to provide family members who may
17 agree to house children who would otherwise be at risk of foster
18 care placement. Relative homes offer stability to children in
19 crisis and enhance family reunification. Outcome data from *the*
20 *States of* Washington and Illinois show that children in the care
21 of relatives are less likely to enter state custody, and most of
22 these arrangements do not require intensive supervision of the
23 placement by the courts or by the department of social services.
24 Moreover, results from these states demonstrate that even the
25 most difficult to place foster children have been successfully
26 placed with extended family members by utilizing family finding
27 technologies.

28 SEC. 2. (a) The State Department of Social Services, in
29 conjunction with stakeholders, including, but not limited to, the
30 California Youth Connection, County Welfare Directors
31 Association, and the California Alliance of Child and Family
32 Services shall draft guidelines outlining best practices in the use

1 of advanced technology to assist counties in identifying all
2 relatives and nonrelative extended family members at the earliest
3 possible time for a foster child.

4 (b) (1) The State Department of Social Services may identify
5 best practices for the development of optimal foster child
6 placement opportunities, as reported by the counties listed in
7 paragraph (2), that are planning, designing, and implementing
8 strategies, such as kinship care programs, to prioritize the
9 placement of foster children. The creation of public and private
10 partnerships is encouraged, and will enhance programs designed
11 to quickly identify relatives and nonrelative extended family
12 members of children placed in foster care. The purpose of these
13 programs is to create a robust component in the spectrum of
14 foster care placement options, to be used when out-of-home
15 placement is necessary and to secure permanency for a foster
16 child and any siblings.

17 (2) Counties that have developed kinship care programs,
18 whose practices may be considered by the department pursuant to
19 this subdivision, include, but are not limited to, all of the
20 following:

- 21 (A) Alameda County.
- 22 (B) Monterey County.
- 23 (C) Orange County.
- 24 (D) Placer County.
- 25 (E) Sacramento County.
- 26 ~~(F) Santa Clara County.~~
- 27 ~~(G) Stanislaus County.~~
- 28 ~~(H) San Mateo County.~~
- 29 (F) *San Mateo County.*
- 30 (G) *Santa Clara County.*
- 31 (H) *Stanislaus County.*

32 SEC. 3. Section 16500.1 of the Welfare and Institutions Code
33 is amended to read:

34 16500.1. (a) It is the intent of the Legislature to use the
35 strengths of families and communities to serve the needs of
36 children who are alleged to be abused or neglected, as described
37 in Section 300, to reduce the necessity for removing these
38 children from their home, to encourage speedy reunification of
39 families when it can be safely accomplished, to ~~locate permanent~~
40 ~~homes and families~~ *find permanent homes and families,*

1 *preferably* with relatives, as defined in paragraph (2) of
2 subdivision (c) of Section 361.3, for children who cannot ~~return~~
3 ~~to their biological families~~ *reunify*, to reduce the number of
4 placements experienced by these children, to ensure that children
5 leaving the foster care system have support within their
6 communities, to improve the quality and homelike nature of
7 out-of-home care, and to foster the educational progress of
8 children in out-of-home care.

9 (b) In order to achieve the goals specified in subdivision (a),
10 the state shall encourage the development of approaches to child
11 protection that do all of the following:

12 (1) Allow children to remain in their own schools, in close
13 proximity to their families.

14 (2) Increase the number and quality of foster families available
15 to serve these children.

16 (3) Use a team approach to foster care that permits the
17 biological and foster family and the child to be part of that team.

18 (4) Use team decisionmaking in case planning.

19 (5) Provide support to foster children and foster families.

20 (6) Ensure that licensing requirements do not create barriers to
21 recruitment of qualified, high-quality foster homes.

22 (7) Provide training for foster parents and professional staff on
23 working effectively with families and communities.

24 (8) Encourage foster parents to serve as mentors and role
25 models for biological parents.

26 (9) Use community resources, including community-based
27 agencies and volunteer organizations, to assist in developing
28 placements for children and to provide support for children and
29 their families.

30 (10) Ensure an appropriate array of placement resources for
31 children in need of out-of-home care.

32 (11) Ensure that no child leaves foster care without a lifelong
33 connection to a committed adult.

34 (12) Ensure that children are actively involved in the case plan
35 and permanency planning process.

36 (13) Ensure that a search for relatives available for placement
37 is initiated before placement decisions are made for children who
38 are unable to be reunited with their families.

39 (c) In carrying out the requirements of subdivision (b), the
40 department shall do all of the following:

1 (1) Consider the existing array of program models provided in
2 statute and in practice, including, but not limited to, wraparound
3 services, as defined in Section 18251, children's systems of care,
4 as provided for in Section 5852, the Oregon Family Unity or
5 Santa Clara County Family Conference models, which include
6 family conferences at key points in the casework process, such as
7 when out-of-home placement or return home is considered, and
8 the Annie E. Casey Foundation Family to Family initiative,
9 which uses team decisionmaking in case planning,
10 community-based placement practices requiring that children be
11 placed in foster care in the communities where they resided prior
12 to placement, and involve foster families as team members in
13 family reunification efforts.

14 (2) Ensure that emergency response services, family
15 maintenance services, family reunification services, and
16 permanent placement services are coordinated with the
17 implementation of the models described in paragraph (1).

18 (3) Ensure consistency between child welfare services
19 program regulations and the program models described in
20 paragraph (1).

21 (d) The department, in conjunction with stakeholders,
22 including, but not limited to, county child welfare services
23 agencies, foster parent and group home associations, the
24 California Youth Connection, and other child advocacy groups,
25 shall review the existing child welfare services program
26 regulations to ensure that these regulations are consistent with the
27 legislative intent specified in subdivision (a). This review shall
28 also determine how to incorporate the best practice guidelines for
29 assessment of children and families receiving child welfare and
30 foster care services, as required by Section 16501.2.

31 (e) The department shall report to the Legislature on the
32 results of the actions taken under this section on or before
33 January 1, 2002.